

**October 27, 2005 Minutes of
Bigfork Land Use Advisory Committee**

Members present: John Bourquin, Clarice Ryan, Jack Paulson, Phil Hanson, Bob Keenan, Tim Calaway, Scott Hollinger.

Bob Keenan made the motion that Minutes of the September 29, 2005 meeting be approved as presented. Tim Calaway seconded the motion. Motion passed unanimously.

Item 1: A request by Brandyland, LLP for Preliminary Plat approval of Whisper Ridge Subdivision, a fifty-nine (59) lot (23 single family and 36 townhomes) residential Major Subdivision and Planned Unit Development on 14.049 acres. All lots in the subdivision are proposed to have public water and sewer systems. The property is located off of Highway 35 in Bigfork, and can further be described as a Tract of land in Government Lot 3 in Section 36, Township 27 North, Range 20 West, P.M.M., Flathead County, Montana.

Staff: Kirsten Holland reported that the staff report has not been completed and is waiting for the review by the MDOT Systems Impact Review team. She noted that there was valid concern regarding traffic congestion in this area. The property is zoned R-4 and requested variances in lot setbacks and road width and length.

Applicant: Erica of Sands Engineering presented maps of the development noting that the architecture firm has made good use of the property topography and viewshed. She offered that the request for variances requested would offer a more attractive development. Clarice Ryan questioned the single access and narrow streets in light of emergency access and evacuation, and if there would be parking on the streets. Erica noted that the subdivision would be required to accommodate on-lot parking with no street parking allowed. Erica also doubted that the volume of traffic would meet the MDOT requirements for a traffic light at the intersection with Hwy 35. She noted that the state's project for improvement of Hwy 35 was scheduled for the near future.

Public Comment:

George Darrow – Expressed concern that most applicants treat their proposals as a single entity without consideration of other developments in the area. He asserted that the traffic to be considered is not merely local commuters but the constant flow of construction trucks and vehicles for this and other projects plus high fluctuations of tourist traffic and commercial traffic in this area. He believes that the area of Hwy 209, Hwy 35, Sunset Point and Wayfarers Park is already saturated with traffic. He believes that the improvement project for Hwy 35 should be studied to determine if these current increases have been considered.

Pat Wagner – Noted that this is the second time in a month that a developer has stated that they should not be penalized for the affects of their development. Who then will take this responsibility?

JoAnne McGarraugh – We live at Sunset Point and want to know who will maintain Sunset Road access? Craig Wagner – Why type of fire protection is planned?

Tom Allison – Lives in Sunset Point and is concerned about the drainage from that area into the Sunset Point area. He noted that Sunset already has water issues from this property and believes the issue needs to be addressed.

Pat McGarraugh – Lives in Sunset Point and noted that the application states that the applicant proposes to use the access at Sunset Point to enter Wayfarer's Park. His understanding is that that access is only to be used as an emergency exit for the Wayfarer's State park and not a visitor access.

Denise Lang – Questioned the variance for only 10-foot setbacks. How does this make it better for the community at large?

Staff/Applicant:

Kirsten – Staff noted that the DNRS has issued fire requirements for this development. In the question of drainage, the DEQ will need to give approval of the projects drainage solutions.

Erica – The development will have fire hydrants and be hooked up to the Bigfork Water and Sewer storm drainage system. Each dwelling will be equipped with sprinkler systems internally. The project received approval from Bigfork Water & Sewer in April of 2005. She also noted that the project would not pursue public access to Wayfarers State Park. She noted the access mentioned in the proposal was pedestrian only according to the State Parks Department. She also noted that an extensive drainage plan will be developed and must be contained within the applicant's property. The 10-foot set back variance is requested because of the topography of the property. The applicant feels it would be more disruptive to the esthetics to comply with the 20-foot setbacks. She believes this is a win-win for the community at large.

Phil Hanson – Is there a report from the Bigfork Fire Department on this project? Kirsten said there is not a report on file and will check on that. She also noted that the applicant must work out a final plan with the Bigfork Water & Sewer before approval.

John Bourquin – Do the buildings comply with the 35-foot guidelines for height? Erica said the height is determined at curb height and will conform. She also explained that town homes share a common wall and are considered separately from duplexes. John also asked about the consideration of view shed from Flathead Lake. Erica stated that the property is heavily wooded and the project would do selective logging keeping the natural Montana feel throughout the landscaping. There will not be extensive open grass areas. Erica also explained the difference in parkland requirements and open space requirements. In a subdivision only, 11% of the value of the property would go directly to Flathead Parks & Recreation. In a subdivision with a PUD, the parkland set aside is not applicable, but 30% of the property must be designated as open space.

Phil Hanson – Asked definition of the open space in this project. Erica noted that the open space is designated in a buffer surrounding the property. Phil noted his biggest concern was granting the variances. He believes this sets a precedent and questions if this variance is good for the community.

Tim Calaway – Believes that the cul-de-sac should be joined into the road system possibly between lot 9 & 10, connecting near lot 1 & 2 to make a loop road rather than a dead end.

Scott Hollinger – Believes the set back variance is important aesthetically and good use of forested land.

Bob Keenan moved that the project be tabled at this time. John Bourquin seconded the motion. Motion passed unanimously. The Flathead Planning & Zoning Board will review this application on Wednesday, November 16, 2005 beginning at 6:00 PM at the Planning Office conference room located at 1035 First Avenue West, Kalispell.

New Business:

Craig Wagner presented a letter to BLUAC from the Bigfork Steering Committee requesting an amendment to the BLUAC Policies and Procedures to allow for election of BLUAC members (attached). After discussion, it was decided to wait for the review of the amendment by Deputy County Attorney Jonathan Smith. Hollinger agreed to call a special meeting when this is forth coming in light of the timing for the election process.

Meeting was adjourned at 5:25 PM

Sue Hanson
Secretary